

Message Text

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DRAFTED BY:OES/OFA/OCA:RTSCULLY

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FM SECSTATE WASHDC

INFO AMEMBASSY CANBERRA 8030

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FOLLOWING TELEGRAM FROM MOSCOW DATED JULY 10, 1978
SENT SECSTATE WASHDC IS REPEATED TO YOU: QUOTE

LIMITED OFFICIAL USE MOSCOW 13306

E.O. 11652: N/A

TAGS: EFIS, XV, UR, NZ, PLOS, PBOR

SUBJECT: SOVIETS PROTEST APPLICATION OF NEW ZEALAND

200 MILE ZONE TO ANTARCTIC TERRITORIES

1. ON JUNE 8 MFA REP GAVE EMBOFF A COPY OF AN EXCERPT
FROM A NOTE WHICH MFA GAVE TO THE NEW ZEALAND EMBASSY
IN MOSCOW IN APRIL (MFA REP COULD NOT REMEMBER THE EXACT
DATE IN APRIL WHEN THE NOTE WAS DELIVERED.) AN INFORMAL
EMBASSY TRANSLATION OF THE EXERPT FOLLOWS PARA 3
BELOW. ORIGINAL IS POUCHED TO EUR/SOV REGISTRY NO. 1911811.

2. THE SOVIET NOTE PROTESTED THAT THE LAW ESTABLISHING
A 200 MILE ECONOMIC ZONE AROUND NEW ZEALAND ALSO APPEARED
TO ESTABLISH A NEW TWELVE MILE TERRITORIAL ZONE IN THE
ANTARCTIC WATERS OFF ROSS LAND AND ALSO APPEARED TO
INCLUDE THE SEAS OFF ROSS LAND WITHIN THE NEW ZEALAND
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PAGE 02 STATE 178020

200 MILE ECONOMIC ZONE. MFA REP STATED THAT THE SOVIETS
CONSIDER THE NEW ZEALAND STEP TO BE INCONSISTENT WITH THE
ANTARCTIC TREATY. MFA REP ADDED THAT SINCE THE US AND THE
SOVIET POSITIONS ON TERRITORIAL CLAIMS IN THE ANTARCTIC
ARE CLOSE, THE SOVIETS WOULD BE INTERESTED TO KNOW US
OPINION ABOUT THE NEW ZEALAND STEP AND WHETHER THE US HAS
TAKEN THE MATTER UP WITH THE GOVERNMENT OF NEW ZEALAND.

3. TRANSLATION OF SOVIET EXERPT

"FROM THE PROVISIONS CONTAINED IN THE LAW IT IS EVIDENT,
THAT THEY ESTABLISH 12 MILE TERRITORIAL WATERS AROUND THE

ANTARCTIC TERRITORY OF RDSS LAND. IN ADDITION, IN ACCORD-
ANCE WITH POINT 9 (3) PART II OF THE LAW IT IS FORESEEN,
THAT "THE GOVERNOR GENERAL CAN PERIODICALLY ANNOUNCE,
BY ISSUING A REGULATION OF THE COUNCIL, THAT ANY
CONCRETE PROVISION OF THE LAW, RELATING TO THE EXCLUSIVE ECONOMIC
ZONE, WILL BE APPLIED IN RELATION TO ROSS LAND WITH SUCH
CHANGES AND EXCLUSIONS (IF THERE ARE SUCH) AS WILL BE
DEFINED IN THE REGULATION OF THE COUNCIL."

IN THIS CONNECTION THE MINISTRY WOULD LIKE TO DIRECT THE
ATTENTION OF THE EMBASSY TO THE FACT THAT THE INDICATED
PROVISIONS OF THE LAW ARE IN CONTRADICTION TO POINT 2
ARTICLE IV OF THE ANTARCTIC TREATY OF 1959, ACCORDING TO
WHICH NO WIDENING OF THE EXISTING TERRITORIAL CLAIMS IN
THE ANTARCTIC WILL BE ANNOUNCED WHILE THE PRESENT TREATY
IS IN FORCE." TOON UNQUOTE CHRISTOPHER

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Message Attributes

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